



State of California  
**Respiratory Care Board**  
444 North 3rd Street, Suite 270  
Sacramento, CA 95814  
Telephone (916) 323-9983  
Fax (916) 323-9999  
[www.rcb.ca.gov](http://www.rcb.ca.gov)



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**Inquiry:** In the hospital, where I am a Registered Respiratory Therapist, nurses in the ICU, CCU, and CPU are allowed to make ventilator changes and extubate patients without consulting or asking for assistance from the Respiratory Department. (1) Could I be jeopardizing my RCP license by working in these units? (2) How can I protect myself from a lawsuit if a patient is compromised?

**Response:** In response to your inquiry regarding nurses being allowed to make ventilator changes and extubate without consulting or asking for assistance from the Respiratory Department, please be advised that nothing in the RCPA prohibits Registered Nurses from performing this function. Specifically, Section 3701 of the Business & Professions Code states:

"...It is the intent also to recognize the existence of overlapping function between physicians and surgeons, registered nurses, physical therapists, respiratory care practitioners, and other licensed health care personnel, and to permit additional sharing of function within organized health care systems...."

In response to your inquiry regarding your license being in jeopardy, the RCB advises that you obtain competent legal counsel to evaluate these provisions and how they relate to this issue.

Reference # 2001-C-20